

Customer No. 22,852
Attorney Docket No. 02481-1771-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

Heiner GLOMBIK et al.)

) Group Art Unit: 1614

Serial No.: 10/021,502)

) Examiner: Unassigned

Filed: December 19, 2001)

For: NOVEL DIPHENYLAZETIDINONES,)
PROCESS FOR THEIR)
PREPARATION, MEDICAMENTS)
COMP[RI]SING THESE)
COMPOUNDS AND THEIR USE)Assistant Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: Carol P. Einaudi
Carol P. Einaudi
Registration No. 32,220

Dated: April 3, 2002

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com



INFORMATION DISCLOSURE CITATION

OMB No. 0651-0011

Atty. Docket No.	074894 771-00000	Appln. No.	10/021,502
Applicant	Heiner GLOMBIK et al.		
Filing Date	December 19, 2001	Group Art:	1614

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,756,470	MAY 26 98	Yumibe et al.			

FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	WO 00/63703	OCT 26 00	PCT			
	WO 97/16455	MAY 9 97	PCT			
	WO 97/26265	JUL 24 97	PCT			
	WO 97/41097	NOV 6 97	PCT			
	WO 97/45406	DEC 4 97	PCT			
	WO 98/08871	MAR 5 98	PCT			
	WO 99/03861	JAN 28 99	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Castañer, R.M., et al., "Ezetimibe, Hypolipidemic Cholesterol Absorption Inhibitor SCH-58235," Drugs of the Future 2000, 25(7):679-685.
	Vaccaro, Wayne D., et al., "Sugar-Substituted 2-Azetidinone As Cholesterol Absorption Inhibitors," Bioorganic & Medicinal Chemistry Letters 8(1998):35-40.
	Vaccaro, Wayne D., et al., "Sugar-Substituted 2-Azetidinone Cholesterol Absorption Inhibitors: Enhanced Potency by Modification of the Sugar," Bioorganic & Medicinal Chemistry Letters 8(1998):313-318.
	van Heck, Margaret et.al., "Comparison of the activity and disposition of the novel cholesterol absorption inhibitor, SCH58235, and its glucuronide, SCH60663, British Journal of Pharmacology 129:1748-1754 (2000).
	Zaks, Aleksey, et al., "Enzymatic Glucuronidation of a Novel Cholesterol Absorption Inhibitor, SCH 58235, Applied Biochemistry and Biotechnology, 73:205-213 (1998).

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce